

Remarks

The present Response is to the Office Action mailed 10/14/2008. Claims 40-69 are presented for examination.

Claim Rejections - 35 USC § 103

2. Claims 40-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shtivelman (US Patent # 6,535,492) in view of Matsui et al (Matsui) (US Patent # 6,401,122).

Regarding claim 40, Shtivelman discloses substantially the invention as claimed a communication management system, comprising: a computer appliance (see abstract, figure 1 and the details related; system is using computer appliances); software stored on and executable from a computer-readable medium accessible by the computer appliance (see abstract; col. 2, lines 27-43; data repository storing parameters and a management software executes on a server associated with the communication center system), the software providing: a choice of a plurality of communication-management zones, each zone having associated therewith a unique set of users, each user identified by a unique name in the zone, and one or more management policies associated with each zone, each user associated with a management policy (see col. 1, lines 45-56, col. 1, lines 28-35, col. 2, lines 44-57; rules and regulations regarding sessions); wherein the system activates a zone based at least on names of active users, and enforces a management policy as long as the zone is active (see col. 2, lines 3-15 also figure 1 and the details related; limits regarding a number of participants allowed in each active chat session must be manually set by agents or an administrator on behalf of agents).

Shtivelman substantially discloses the invention as claimed for the given reason above however does not explicitly disclose wherein said a plurality of zones each with unique set of users and each user identified by a unique name in the zone. However in the same field of invention Matsui discloses wherein said a plurality of zones each with unique set of users and each user identified by a unique name in the zone (see figure 1,

14-15 and the details related, col. 8, lines 41-59, col. 1, lines 18-67; communication areas 1, 2, and 3 each with identified users or clients and area identifiers (names) each for mutually discriminating a plurality of communication areas).

It would have been obvious to one of the ordinary skill in the art of networking at the time of this invention to combine the teaching of Shtivelman and Matsui for a communication management system. Motivation for doing so would have been this system is advantageous for a communication management apparatus for managing a joining of symbols in a virtual world in a message communication system in which a plurality of user terminals are interconnected, the plurality of user terminals sharing the virtual world comprising a plurality of virtual spaces, and the symbols each defined for the associated one of the user terminals which will join the virtual world, and messages are exchanged among a plurality of user terminals corresponding to a plurality of symbols which have entered the same virtual space (see Matsui: col. 1, lines 7-14).

Regarding claim 41, the combination of Shtivelman and Matsui disclose wherein Matsui further discloses the system of claim 40 wherein a unique name refers to a single user, but may vary from zone to zone as an alias (see figure 1, col. 8, lines 41-59).

Regarding claim 42, Shtivelman discloses the system of claim 40 wherein the communication involves transmission over the Internet network (see figure 1 (13); Internet).

Regarding claim 43, the combination of Shtivelman and Matsui disclose wherein Matsui further discloses the system of claim 40 wherein the unique names include one or more identities of persons accessible on a communication network (see col. 16, lines 9-25).

Regarding claim 44, the combination of Shtivelman and Matsui disclose wherein Matsui further discloses the system of claim 43 wherein individual ones of the unique names may be aliases referring to a single contact (see figure 1, col. 8, lines 41-59).

Regarding claim 45, Shtivelman discloses the system of claim 40 wherein individual ones of the zones are defined by various social environments engaged in by a user (see col. 1, lines 57-67, col. 2, lines 1-2).

Regarding claim 46, Shtivelman discloses the system of claim 42 wherein communication is supported in multiple modes and protocols, including but not limited to voice and text modes (see col. 1, lines 17-27).

Regarding claim 47, the combination of Shtivelman and Matsui disclose wherein Matsui further discloses the system of claim 46 wherein unique names of users vary by communication mode as well as by zone (see figure 1, col. 8, lines 41-59).

Regarding claim 48, Shtivelman discloses the system of claim 46 wherein the multiple modes include email, instant messaging, RSS, and voice mode (see col. 1, lines 17-27).

Regarding claim 49, the combination of Shtivelman and Matsui disclose the system of claim 40 wherein pairing of users is used in determining and enforcing communication policy (see Shtivelman: col. 1, lines 28-35, col. 2, lines 44-57; Matsui: col. 8, lines 41-59).

Regarding claim 50, Shtivelman discloses the system of claim 40 further comprising generating alerts from attempted policy violation (see col. 7, lines 37-45).

Regarding claim 51, Shtivelman discloses the system of claim 40 wherein a user name may be in a form of a URL, an email address, a telephone number, a machine address, an IP address, or an Enum address (see col. 1, lines 17-27, col. 5, lines 32-42).

Regarding claim 52, the combination of Shtivelman and Matsui disclose the system of claim 40 wherein policy includes protocol for automatic handling of incoming communication events, the handling determined by one or both of user initiating communication and mode of communication (see Shtivelman: figure 3, col. 1, lines 28-35, col. 2, lines 44-57; Matsui: col. 8, lines 41-59).

Regarding claim 53, the combination of Shtivelman and Matsui disclose wherein Matsui further discloses the system of claim 40 further comprising an editing facility for a user to create and populate zones, names and policy (see col. 8, lines 41-59.).

Regarding claim 54, Shtivelman discloses substantially the invention as claimed a method for managing communication, comprising steps of:

- (a) at a communication interface provided by software executing from a machine readable medium of a computer appliance (see abstract, figure 1 and the details related; system is using computer appliances), activating one of a plurality of communication management zones based on at least on names of active users, (see col. 2, lines 3-15 also figure 1 and the details related; limits regarding a number of participants allowed in each active chat session must be manually set by agents or an administrator on behalf of agents); and
- (b) enforcing a management policy in sending or routing communications determined at least in part by user names associated with the zone (see col. 1, lines 28-35, col. 2, lines 44-57, see col. 2, lines 27-43; data repository storing parameters and a management software executes on a server associated with the communication center system and col. 1, lines 45-56; rules and regulations regarding sessions).

Shtivelman substantially discloses the invention as claimed for the given reason above however does not explicitly disclose wherein said plurality of communication-management zones and a unique name associated with the zone. However in the same field of invention Matsui discloses wherein said plurality of communication-management zones and a unique name associated with the zone (see figure 1, 14-15 and the details related, col. 8, lines 41-59, col. 1, lines 18-67; communication areas 1, 2, and 3 each with identified users or clients and area identifiers (names) each for mutually discriminating a plurality of communication areas).

It would have been obvious to one of the ordinary skill in the art of networking at the time of this invention to combine the teaching of Shtivelman and Matsui for a communication management system. Motivation for doing so would have been this system is advantageous for a communication management apparatus for managing a joining of symbols in a virtual world in a message communication system in which a plurality of user terminals are interconnected, the plurality of user terminals sharing the virtual world comprising a plurality of virtual spaces, and the symbols each defined for the associated one of the user terminals which will join the virtual world, and messages are exchanged among a plurality of user terminals corresponding to a plurality of symbols which have entered the same virtual space (see Matsui: col. 1, lines 7-14).

Regarding claim 55, Shtivelman discloses the method of claim 54 further comprising a step for content analysis of a message and/or an attachment for identification and verification of a user (see col. 7, lines 8-20).

Regarding claim 58, the combination of Shtivelman and Matsui disclose the method of claim 54 wherein the names include one or more users using an instance of the software on a different computer appliance (see Shtivelman: figure 1, col. 27-44 and Matsui: col. 8, lines 41-59).

Regarding claim 69, combination of Shtivelman and Matsui disclose wherein Matsui further discloses the method of claim 68 wherein some of the names may be temporary ad hoc identities (see figure 1, col. 8, lines 41-59).

Applicant's response:

Applicant herein amends the independent claims to specifically recite that the claimed "zones" incorporate communications in a variety or plurality of communication protocols. The Examiner, thus far in the present examination cycle has been equating applicant's claimed "zones" with chat room sessions, as in Shtivelman, or message communication systems and communication areas, as in Matsui, which communicate within one protocol or mode.

Applicant's invention provides a communication "zone" in which a user may send communications of various modes/protocols within one zone or receive communications in various modes/protocols wherein the system activates the proper zone and manages the communication with a policy depending upon a unique name associated with a management policy in the zone.

Applicant argues that Shtivelman's col. 1, lines 45-56 describe generically the operation of a chat room, wherein a single agent may communicate with more than one client at a time in a single protocol environment as in a chat room. The art of Matsui also obviously operates within a single virtual space or communication area, which operates in a single mode or communication protocol. Further, a complete reading of Matsui reveals that Matsui provides precious little teaching about messaging or communication, but quite a lot about how to join a virtual space.

Applicant herein limits the claimed zones so as to clarify that the management policies are based on identity of users, not the environment of the chat room or virtual space, as in the art presented by the Examiner. The applicant believes this limitation was already clear in the claims as not amended, but the examiner has chosen to skip over the limitation of management policies associated with users.

The Examiner states that Shtivelman discloses, "...one or more management

policies associated with each zone, each *user associated with a management policy* (see col. 1, lines 45-56, col. 1, lines 28-35, col. 2, lines 44-57; rules and regulations regarding sessions); wherein the system activates a zone based at least on names of active users, and enforces a management policy as long as the zone is active (see col. 2, lines 3-15 also figure 1 and the details related; limits regarding a number of participants allowed in each active chat session must be manually set by agents or an administrator on behalf of agents).” Applicant herein amends claim 1 to recite that the system activates a zone based at least on names of active users, and enforces the associated management policy for each user as long as the zone is active. All of the management policies in the art of Shtivelman and Matsui are associated with the environment occurring within the session, i.e. load of users, not enforcing management policies associated with the identity of individual users, as claimed.

Applicant argues that the art of Shtivelman manages chat rooms based primarily on load, *not* based on individual identities of participants in the chat room. Matsui also manages the virtual spaces or communication areas based on **number** of participants also, not based on the identity of specific user names in the area. The Examiner can no longer assimilate a chat room or the communication areas of the art with the “zones” as claimed in applicant’s invention.

The Examiner states, in the rejection of dependent claim 46 that Shtivelman discloses the system of claim 42 wherein communication is supported in multiple modes and protocols, including but not limited to voice and text modes (see col. 1, lines 17-27). Applicant points out that said teaching of Shtivelman is in the background portion of the specification describing communication protocols available today for agents operating in communication center environments, but further teaches that the invention is limited within a chat session (col. 1, line 45 to col. 2, line 25). Applicant argues that Shtivelman’s stated existence of a variety of communication protocols available in data network environments cannot provide motivation for providing communication zones, as claimed, because Shtivelman specifically limits the invention to chat room environment, which is notoriously known in the art as operating within a single protocol and mode.

Therefore, applicant believes claims 40 and 54, as amended, are patentable over the art presented by the Examiner. Claims 41-53 and 55-69 are patentable on their own merits, or at least as depended upon a patentable claim.

Summary

As all of the claims, as amended and argued above, have been shown to be patentable over the art presented by the Examiner, applicant respectfully requests reconsideration and the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
Christopher Clemmett Macleod Beck et al.

By /Donald R. Boys/
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency, Inc.
3 Hangar Way, Suite D
Watsonville, CA 95076
831-768-1755